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*Suzanne Henderson*

Suzanne Henderson

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

**AMENDMENT OF OIL, GAS AND MINERAL LEASE**

STATE OF TEXAS }  
COUNTY OF TARRANT }

WHEREAS, Gary L. Howard, a single man, Lessor (whether one or more), heretofore executed an Oil, Gas and Mineral Lease, dated January 9, 2007, to XTO Energy Inc., Lessee, herein referred to as "The Lease" recorded at Clerk Document No. D207124652, Official Public Records of Tarrant County, Texas, whereby Lessor leased certain lands situated in Tarrant County, Texas, to wit:

0.691 acres, more or less, out of the W. H. Herrell Survey, Abstract 724, Tarrant County, Texas, and being more particularly described in Deed dated April 6, 2004, in Document Number D204139681, Deed Records, Tarrant County, Texas.

AND WHEREAS, Notwithstanding anything to the contrary, it is the desire of the Lessee and Lessor to amend Paragraph H of Exhibit "A" attached to the Lease to allow for 320 acres plus Ten (10) percent Tolerance for Pooling.

AND, for the consideration received by Lessors on executing The Lease, and the benefits to be derived therefrom and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, or we, the undersigned, jointly and severally, do hereby adopt, ratify and confirm The Lease, and all of its provisions, except as herein modified and amended, and do hereby grant, lease, and let to the Lessee therein or its successors and assigns, any and all interest which I, or we, now have, or may hereafter acquire, either by conveyance, devise, inheritance or operation of laws, and whether vested, expectant, contingent or future, in and to the lands described therein, in accordance with each and all of the provisions contained in The Lease and as amended hereby, and the undersigned hereby declare that The Lease and all of its provisions, as amended, are binding on the undersigned and is a valid and subsisting Oil and Gas Lease and this agreement shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of each of the undersigned.

IN WITNESS WHEREOF, this instrument is executed by the undersigned Lessors on the respective date of acknowledgment below, but is effective as of the date of January 9, 2007, date of "The Lease".

LESSOR:

*Gary L. Howard*  
\_\_\_\_\_  
Gary L. Howard

**ACKNOWLEDGEMENT**

STATE OF TEXAS }  
COUNTY OF TARRANT }

This instrument was acknowledged before me on the 5<sup>th</sup> day of December, 2008 by Gary L. Howard, a single man.

*[Signature]*  
\_\_\_\_\_  
Notary Public, State of Texas



Return to: Bryson G. Kuba  
6127 Green Jacket Dr.  
Apt.# 1136  
Fort Worth, TX 76137

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